MPs Rough Up Lawyers in N.C., Seize Defendant for Hair Sample

By Bill McKeithan
Associated Press

FT. BRAGG, N.C., July 20—Military policemen scuffled with Capt. Jeffrey R. MacDonald's civilian lawyers today, took MacDonald into "protective custory," then removed hair from his head and body, presumably to use as evidence in prosecuting murder charges against the Green Beret physician.

MacDonald has been charged by the Army with the murder in February of his wife and two daughters. Investigators have reported bits of hair were found in Mrs. MacDonald's hand.

One of the lawyers, Dennis Eisman, was thrown to the ground by a military policeman and the other, Bernard Segal, was pushed. Segal later went into shock at the post hospital. Both were then sent to a civilian hospital at nearby Fayetteville where they were released after emergency room treatment.

Hearings into the slayings were recessed until Tuesday morning.

MacDonald was seized about two hours after Eisman and Segal thwarted initial attempts by Army investigators to take samples of his hair.

MacDonald said that after the scuffle, he was taken to his quarters and an officer toll him hair would be removed from his head and body.

He said he protested and demanded to see his lawyers, but was refused. He added that at his request the conversation was tape recorded.

MacDonald said he was forced to remove his clothes, and the hair samples were taken by a doctor. He said he was then told he was no longer under protective custody.

United Press International

Attorney Bernard Segal rests in hospital after being shoved by Army police.

The Army would not comment on the incident except to say: "Two civilian attorneys were injured at Ft. Bragg today and taken to Womack Army Hospital."

The altercation occurred after military policemen forced off a post street a car carrying MacDonald, his military escort and the two lawyers.

A car carrying newsmen, trailing the MacDonald car, also was forced to stop.

An Army captain, driver of the civilian car which forced the caravan off the road, ran to the first car and told MacDonald, "I'm placing you under protective custody."

MacDonald refused to leave the car, but Eisman got out, saying, "I'm his lawyer."

A burly military policeman grabbed the skinny, 5-foot-8 Eisman and threw him to the ground The lawyer hit face down, breaking his eyeglasses and did not move.

MacDonald got out and was grabbed by two other MPMS.

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Segal emerged and was shoved by a military policeman. He then ran to his law partner, who remained on the ground.

A military ambulance arrived and Eisman and Segal were placed aboard on stretchers. The police drove away with MacDonald, a 27-year-old Green Beret captain from Patchogue, N.Y.

Segal and Eisman had filed litigation in U.S. District Court at Clinton, N.C., to prevent the Army from taking a sample of MacDonald's hair, contending it would amount to forcing him to testify against himself. Eisman said he learned Sunday night that District Judge Algernon Butler had ruled that the case is not in his jurisdiction. He said he is appealing the ruling to the U.S. 4th Circuit Court of Appeals in Richmond, Va.

At dawn, Eisman and Segal removed MacDonald from the bachelor officers quarters where he lives under guard, to the hearing room. Four agents of the Army's Criminal Investigation Division and four uniformed military policemen arrived at the quarters at 8 a.m. to find it empty.

At 10 a.m. Eisman emerged from the closed hearing and

told newsmen the start of Monday's proceedings had been delayed until 1:30 p.m. at the request of the prosecution.

The defense party drove away from the hearing room soon afterward, followed by the car carrying the newsmen. Both cars pulled into the driveway to MacDonald's quarters, but Eisman ordered them turned around when he saw military policemen outside the building. The police followed. The two cars were stopped and the altercation occurred.

MacDonald faces a possible court martial in the deaths of his wife Colette, 26, and their two daughters, Kimberly, 6, and Kristen Jean, 2, who were found beaten and stabbed to death in their apartment before dawn Feb. 17, MacDonald, who called a telephone operator and asked for help, had been stabbed in the chest.